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SENATE BILL 246

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Ben D. Altamirano

FOR THE LEGISLATIVE FINANCE COMMITTEE

AN ACT

RELATING TO THE STATE ROAD FUND; CLARIFYING AUTHORITY OF
LEGISLATIVE AND EXECUTIVE BRANCHES; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 67-3-14 NMSA 1978 (being Laws 1912,
Chapter 54, Section 2, as amended) is amended to read:

"67-3-14. STATE HIGHWAY COMMISSION-- POWERS AND DUTIES--
ROAD FUNDS. --

A. Subject to the legislature's exclusive authority
to appropriate from the state road fund and to designate the
purpose of the appropriation, the state highway commission has
charge of all policy matters pertaining to the expenditure of
~~[the state road]~~ that fund in the construction, improvement and
maintenance of state highways and bridges in the state.

B. The state highway commission may also make rules

underscored material = new
[bracketed material] = delete

1 and regulations governing the method of construction,
2 improvement and maintenance of state highways and bridges and
3 compel compliance with the laws, rules and regulations relating
4 to state highways and bridges. The commission shall have no
5 duty to maintain or supervise the maintenance of roads [~~which~~
6 that are not designated state highways or bridges.

7 C. The secretary of highway and transportation
8 shall have authority to expend state road funds and use state
9 forces and equipment in an amount not to exceed ten thousand
10 dollars (\$10,000) for the purpose of restoring and preserving
11 the public safety and welfare in any emergency involving a
12 threat of injury to lives or property within areas under the
13 control of [~~the~~] state or local governmental bodies."

14 Section 2. EMERGENCY.--It is necessary for the public
15 peace, health and safety that this act take effect immediately.